

- 2) **Support and Opposition.** This bill is jointly sponsored by the California-Nevada Conference of Operating Engineers, California State Council of Laborers, State Building and Construction Trades Council, Southern California Contractors Association, and United Contractors, which argue wildfire mitigation is dangerous and labor-intensive work essential to protecting communities. The group notes “Our organizations have made good faith efforts to ensure that this piece of legislation does not have a negative impact on existing projects that are currently budgeted for, as we know the critical nature of this work should not be interrupted.”

This bill is opposed by rural county and timber industry associations. For example, the Rural County Representatives of California (RCRC) argues this bill “would have the unintended consequence of eliminating local jobs rather than creating them by placing small, local contractors at a competitive disadvantage for fuels reduction work in rural areas.” RCRC also argues prevailing wage “will necessarily shrink the pace and scale of forest resilience acres treated due to dramatically increased costs.”

- 3) **Prevailing Wage for Public Works.** Existing law requires payment of prevailing wage to all workers employed on a public works project valued over \$1,000, such as publicly funded construction, alteration, demolition, installation, maintenance, or repair work done under contract. The prevailing wage rate is determined by DIR and generally based on the basic hourly rate paid on public works projects to a majority of workers engaged in a particular craft or classification within a locality. Requiring an across-the-board rate ensures bidders are not awarded public works contracts by virtue of paying low wages and undercutting competitors who provide higher compensation.
- 4) **Fuel Reduction Work.** According to CAL FIRE, state fuel reduction work is undertaken by CAL FIRE’s own Fuels Reduction Crews, firefighter hand crews and engine crews, as well as partnerships with the California National Guard, California Conservation Corps and California Department of Corrections and Rehabilitation. CAL FIRE also oversees millions of dollars in grant funds for ongoing local fuel reduction projects, which include the removal or reduction of overgrown vegetation through the use of prescribed fire, tree thinning, pruning, and roadway clearance, amongst other strategies. This bill requires the payment of prevailing wage on publicly funded fuel reduction work falling within an apprenticeship occupation in the building and construction trades, for which an apprenticeship program has been approved by the Division of Apprenticeship Standards, and done under a contract in excess of \$100,000.
- 5) **Related Legislation.** SB 830 (Smallwood-Cuevas) expands the definition of public works to include an offsite, custom fabrication of specified sheet metal ducts. SB 830 is pending hearing in the Senate Committee on Labor, Public Employment and Retirement.
- 6) **Prior Legislation.** AB 1717 (Aguiar-Curry), of the 2021-2022 Legislative Session, was substantively identical to this bill. AB 1717 was vetoed by the Governor, who stated:

I am concerned that adding these projects to the definition of “public works” would introduce delays to critical fire mitigation projects necessary to protect vulnerable communities in the state. Such delays

are a function of the administrative requirements that are imposed when executing a public works project.

I am directing my administration to work with the Legislature and sponsors of this bill to further examine this issue and propose solutions to ensure that we are both paying this critical workforce fairly while not unduly delaying these projects that protect people's lives and livelihoods.

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